

Attorneys for Plaintiff  
Steven B. Barger

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

STEVEN B. BARGER, an individual

Plaintiff

v.

FIRST DATA CORPORATION et al.

Defendants.

**Case No. 1:17-cv-4869-FB-LB**

**(Assigned the Honorable Frederic Block)**

**NOTICE ERRATA TO PLAINTIFF'S LOCAL  
RULE 56.1(a) STATEMENT OF UNDISPUTED  
MATERIAL FACTS**

**NOTICE OF ERRATA**

The Plaintiff Steven B. Barger respectfully submits this Notice of Errata to his Local Rule 56.1(a) Statement of Undisputed Material Facts ("PSOF") to correct an inadvertent clerical error.

1) Paragraph 41 of the PSOF contains a typographical error. The word "fired" in the first line of PSOF ¶41 should be the word "hired." Paragraph 41 of the PSOF should read, and hereby is corrected to read, as follows:

By email on July 20, 2016, Johnson advised Whalen that Barger "was hired to focus on Sales Transformation and when Bryan Fricke left, Steve assumed that role . . . he is spread-out too thin . . ." Ex 26; see also similar statement by Johnson in Ex 27.

DATED: February 12, 2019

Respectfully Submitted,

THE LAW OFFICE OF SHAWN SHEARER, P.C.

/s/ Shawn Shearer  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2019, I transmitted the attached Notice of Errata to the following CM/ECF registrants via e-mail to each of their CM/ECF registered e-mail addresses.

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*Attorneys for Defendants*

A handwritten signature in black ink, appearing to read 'Shawn Shearer', with a long horizontal flourish extending to the right.

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